



## City of Santa Barbara Planning Division

### STAFF HEARING OFFICER MINUTES

JANUARY 31, 2007

#### CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:02 p.m.

#### STAFF PRESENT:

Bettie Weiss, City Planner  
Roxanne Milazzo, Associate Planner  
Chelsey Swanson, Assistant Planner  
Kathleen Goo, Staff Hearing Officer Secretary

#### I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

Bettie Weiss, City Planner announced a continuance of Item III.B, 1416 Chino Street, for re-noticing to the February 14, 2006 meeting.

- B. Announcements and appeals.

No announcements.

- C. Comments from members of the public pertaining to items not on this agenda.

No comments.

#### II. PROJECTS:

##### ACTUAL TIME: 1:03 P.M.

##### A. CONTINUED FROM DECEMBER 26, 2006 MEETING

APPLICATION OF WILLIAM LA VOIE FOR ERIC & MARTEE ANDRESEN, 560 ARROYO AVENUE, APN 035-241-020, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2003-00822)

The 8,500 square foot lot is currently developed with a 1,800 square foot single family residence and attached one-car garage. The proposed project involves 380 square feet of main level addition, expansion of the garage to a two-car garage, 532 square feet of rear decks with 300 square feet of storage below. The discretionary

application required for this project are Modifications to permit the garage expansion within the required thirty-foot (30') front and ten-foot (10') interior setbacks (SBMC §28.15.060). The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Associate Planner  
Email: [rmilazzo@SantaBarbaraCA.gov](mailto:rmilazzo@SantaBarbaraCA.gov)

Bill La Voie, Applicant; and Eric Andresen, Owner, present.

Mr. La Voie made the applicant's presentation.

Ms. Weiss announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Ms. Weiss requested the applicant to clarify the size of the house and parking issues.

Mr. La Voie clarified the difficulties of the site including the present encroachment into the front and side yard setbacks, apparent lack of sufficient space for an enclosed garage or side yard covered carport due to the adjacent driveway, and reasons for current modification request to shift the minimized carport forward thus also minimizing safe visibility issues. He also addressed neighborhood concerns regarding public views, and Architectural Board of Review's (ABR) opinion that either solution be mitigated by easterly landscaping and retaining wall landscape pockets.

Ms. Weiss stated that her last review was a continuation of the project in response to concern over the amount of structure and wall extending over the adjacent neighbor's driveway. She also expressed concern on the extent of modification encroachment and the over-size one-car garage. The original compromise was intended for extra space in order to reduce the size of the garage into the front yard setback. Focusing on the existing parking, and not on the other space needs of the home, Mr. Weiss was concerned with how the applicant will provide two parking spaces on the property.

Mr. La Voie agreed to shift the carport away from the front yard setback by approximately 30 inches for a reduced side yard encroachment in order to accommodate the additional required parking needs.

The Public Hearing was opened at 1:25 p.m. and, as no one wished to speak, closed at 1:26 p.m.

**ACTION:**

**Assigned Resolution No. 005-07**

Deny the original two-car garage design proposal, and approve the garage expansion Modification, making the findings that the project is necessary to secure an appropriate improvement and the proposed carport is consistent with the purpose and intent of the Zoning Ordinance, with the additional conditions that: 1) The carport encroachment into the front and side yard setback shall be modified from their current design by shifting it approximately 30 inches from the side yard setback, and six (6) feet from the front yard setback; and 2) The landscaping shall not exceed the maximum height of 3 ½ feet.

Ms. Weiss announced the ten calendar day appeal period.

**B. THIS ITEM WAS CONTINUED TO THE FEBRUARY 14, 2007 MEETING**

**APPLICATION OF THOMPSON NAYLOR ARCHITECTS FOR DAVID GREENBERG, 1416 CHINO STREET, APN 039-032-030, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2006-00722) CONTINUED TO THE FEBRUARY 14, 2007 MEETING**

The project site is located on the corner of Chino Street and Western Avenue. Current development on site consists of a 675 square foot single family residence and one-car garage. The proposed project involves a 57 square foot first floor addition to the residence, demolition of the existing garage, and construction of a new one-car garage with attached accessory space. The discretionary applications required for this project are Modifications to permit new construction within the required interior and open yard areas (SBMC §28.18.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Associate Planner  
Email: [rmilazzo@SantaBarbaraCA.gov](mailto:rmilazzo@SantaBarbaraCA.gov)

**ACTUAL TIME: 1:27 P.M.**

**C. APPLICATION OF DWIGHT GREGORY FOR PEGGY HASKELL, 1305 DOVER HILL ROAD, APN 019-202-006, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2006-00538)**

The project site is currently developed with a 2,356 square foot two-story single-family residence with attached two-car garage. The proposed project involves a remodel, 157 square feet of new floor area, and 469 square feet of exterior decks. The discretionary application required for this project are Modifications to permit portions of the decks to be located within the required front and interior yard setbacks (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Case Planner: Roxanne Milazzo, Associate Planner  
Email: [rmilazzo@SantaBarbaraCA.gov](mailto:rmilazzo@SantaBarbaraCA.gov)

Dwight Gregory, Applicant; and Peggy Haskell, Owner, present.

Ms. Weiss announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Mr. Gregory made the applicant's presentation.

The Public Hearing was opened at 1:36 p.m.

Mr. Scott G. Dweck expressed general support regarding the proposed project, but expressed concern regarding the limited parking, and requested that excessive tenant parking be avoided so that access to the road remains unrestricted to ensure safe emergency vehicle access.

The Public Hearing was closed at 1:38 p.m.

Ms. Weiss stated that she supported all the requested modifications, but concurs with staff on the concern posed by the side yard encroachment of the upper level deck, which looks down on adjacent properties. She suggested the applicant study another design with a different floor plan, door and window placement, and smaller "step-out" balcony design.

**ACTION:**

**Assigned Resolution No. 006-07**

Approves the front yard Modification, making the findings that the Modification of the front yard requirements is necessary to secure an appropriate improvement on the lot and that the deck, which is located below street level, is not visible from the public right-of-way, does not result in additional floor area in required yards, and is consistent with the purpose and intent of the Ordinance; but denies the interior yard Modification of side yard encroachment for the upper level deck as it is not an appropriate improvement and is not consistent with the purpose and intent of the Ordinance.

Said approval is subject to the conditions that: 1) The portion of deck, proposed within the required interior yard, is either removed from the project or revised to comply with the Code; 2) The garage is returned to its required interior dimensions; and 3) A zoning declaration of one residential unit be recorded prior to issuance of a building permit.

Ms. Weiss announced the ten calendar day appeal period.

ACTUAL TIME: 1:48 P.M.

D. APPLICATION OF SHERRY & ASSOCIATES FOR THE ESTATE OF  
ILUMINADA TORINA, 231 S. ALISOS STREET, APN 017-252-025, R-3  
ZONE, GENERAL PLAN DESIGNATION:12 UNITS PER ACRE  
(MST2006-00415)

The 5,870 square foot project site is currently developed with a 1,115 square foot single-story single-family residence and an attached two-car garage and an unpermitted one-car carport. The proposed project involves the construction of an attached two-story 667 square foot residence, a new carport and legalization of the existing carport. One-half of the existing garage will be converted to habitable space as part of the new unit. One of the existing garage spaces will be maintained. The discretionary application required for this project is a Modification to provide only three of the four required parking spaces required for this project (SBMC 28.90.100).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

Case Planner: Roxanne Milazzo, Associate Planner  
Email: [rmilazzo@SantaBarbaraCA.gov](mailto:rmilazzo@SantaBarbaraCA.gov)

David Watkins, from Sherry & Associates, David Shoemaker, Senior Engineering Technician, Steve Foley, Transportation Senior Planner I, present.

Ms. Weiss announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Ms Weiss expressed concern in how the public right-of-way and property frontage changes from its current condition being unimproved with no curb with an overheight fence along the property line, and requested the applicant clarify the proposed improvements along such property line.

Mr. Watkins clarified that the present plans do not include any improvements along the public right-of-way other than reducing height of the fence height for safe visibility reasons.

Ms. Weiss requested the applicant to clarify some questions regarding the lack of sidewalk and curbs, and removal of the large curbcut in the R-3 zone of improvement to increase the available parking since the home is in a parking impacted neighborhood, and she requested the applicant or staff clarify with the Public Work's Transportation Department requirements for the area in their efforts to replace sidewalk, curb and gutter.

Mr. Watkins stated that the Public Works Transportation Division only expressed support for that project since they did not decrease the parking in the area.

**\*\* THE HEARING RECESSED AT 1:53 P.M. AND RECONVENED AT 2:01 P.M. \*\***

Mr. David Shoemaker explained that the applicant would be expected to close up the existing large curbcut for excessive pedestrian traffic on that street.

Ms. Weiss suggested the applicant complete the plans with the level of detail to include the reduced and narrow curbcut per the Public Works standards for curb cuts since it is a cost element of improving the frontage.

Ms. Milazzo stated that staff supports the one parking space requirement from the Transportation Division since it is likely the unit will be occupied by a single person due to the size of the unit, and parking should not impact the streets in the area because it is provided on-site.

Ms. Weiss suggested the elimination garage access door from the studio unit to ensure the intended use of the garage as a garage for the proposed project.

The Public Hearing was opened at 2:07 p.m. and, as no one wished to speak, was closed at 2:08 p.m.

**ACTION:**

**Assigned Resolution No. 007-07**

Approve the project, making the findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance by providing adequate parking for the new unit, and that restoring frontage improvements in the location of the existing driveway creates new on-street parking opportunity and therefore will not cause an increase in the demand for parking space or loading space in the immediate area.

Said approval is subject to the conditions: 1) Eliminate the door between the proposed garage and studio unit, allowing the storage unit to remain; and 2) The overheight fencing, located along the entire front lot line, shall be removed or reduced to the maximum allowable height of 3 ½ feet.

Ms. Weiss announced the ten calendar day appeal period.

**ACTUAL TIME: 2:11 P.M.**

**E. APPLICATION OF JEFF GORRELL, ARCHITECT FOR GLENNON MUELLER, PROPERTY OWNER, 420 E. ANAPAMU STREET, APN 029-173-005, R-3, MULTIPLE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, TWELVE UNITS PER ACRE (MST2005-00442)**

The project consists of adding two new attached two-bedroom condominium units to an existing three-bedroom single-family residence for a total of three condominiums, and three new attached two-car garages. The unit sizes would be 1,382, 1,140 and



1,305 net square feet. An existing one-car garage would be demolished. The existing single-family residence has been determined to be worthy of City Landmark designation and will remain unaltered, with the exception of the removal of three windows on the south elevation, where the rear units will be attached. A new laundry room will also be added to the existing unit, which would not include exterior alterations.

The discretionary applications required for this project are:

1. A Modification to allow a second story building element to encroach into the interior yard setback (SBMC §28.21.060 and §28.92.110.B);
2. A Modification to allow the private outdoor living space for Unit A to have less than the minimum required dimensions (SBMC §28.21.081 and §28.92.110.B); and
3. A Tentative Subdivision Map to allow a one-lot subdivision to create three residential condominium units (SBMC §27.07 and §27.13).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303, for new construction of small structures, and 15315 for a minor land division.

Case Planner: Chelsey Swanson, Assistant Planner  
Email: cswanson@SantaBarbaraCA.gov

Jeffrey Gorrell, Architect; Gennon Mueller, Owner, present.

Ms. Weiss announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood. Ms. Weiss mentioned meeting Ms. Susan Nobel during her site visit.

Chelsey Swanson, Assistant Planner, gave the Staff presentation and recommendation.

Mr. Gorrell gave the Applicant's presentation.

Ms. Weiss requested the applicant to clarify some questions regarding the current roof plan, specifically the height of the roof in comparison to plans previously reviewed by the Planning Commission, and any planned alternatives to accommodate the proposed larger bedroom.

Ms. Weiss expressed concern regarding the Conditions of Approval for the Landmark Designation of the proposed project, specifically the Condition G.3. She suggested the proposed project return to the Historic Landmarks Committee (HLC) independent of the project. Ms. Weiss stated the applicant may object to the Condition, informing the applicant that they could either submit a landmark application on their own or the City will invite them to a meeting to discuss with the HLC designation of the building as a City Landmark.

The Public Hearing was opened at 2:37 p.m. and, as no one wished to speak, was closed at 2:38 p.m.

Mr. Gorrell stated that they had not planned any water conserving fixtures, other than water drainage and surface retention to remain on-site, and explained that the house may not be efficiently oriented to take advantage of solar photo voltaic cells on the roof.

**\*\* THE HEARING RECESSED AT:2:45 P.M. AND RECONVENED AT 2:53 P.M. \*\***

Ms. Swanson confirmed that Engineering Division staff concurred that the Condition E.2 regarding water-conserving fixtures was a template condition which only reaffirmed the standard Ordinance requirements and did not actually need to be restated in the Conditions of Approval.

Ms. Weiss commented on the large front yard setback in comparison to the massing of the proposed three-story building as being rather large for the structure for the particular neighborhood.

**ACTION:**

**Assigned Resolution No. 008-07**

Approve the Tentative Subdivision Map for four condominium units, including a modification to allow for less than the required dimension for private outdoor living space, making the findings in the Staff Report, but denies the side yard modification, and subject to the Conditions of Approval in Exhibit A, including the amended condition that Conditions E.1, E.2, and G.3 be deleted.

Ms. Weiss announced the ten calendar day appeal period.

**ACTUAL TIME: 2:59 P.M.**

**F. APPLICATION OF THOMPSON NAYLOR ARCHITECTS FOR VICTORIA GARDEN MEWS, 320 E. VICTORIA STREET, APN 029-131-005, R-3, MULTIPLE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, TWELVE UNITS PER ACRE (MST2004-00511)**

The project consists of demolishing a portion of an existing house, storage shed, and six-car garage, restoring and adding onto the existing house, and constructing a three-story, three-unit condominium building at the rear of the property, for a total of four condominium units. The front house would be a two-story, three-bedroom, 2,426 square foot unit. The rear building would include a 1,750 square foot, three-bedroom unit on the ground floor, a 1,700 square foot, two-bedroom unit on the second floor, and a 1,010 square foot, two-bedroom unit on the third floor. There would be a shared cellar for storage totaling approximately 1,785 square feet and a shared lobby area of 446 square feet. Parking would be provided within one garage that accommodates eight vehicles by including hydraulic lifts to allow a total of two cars in each space to be stacked. The project requires modifications to both interior yard setbacks, and a tandem parking design waiver.



The discretionary applications required for this project are:

1. A Modification to allow building elements to encroach into the eastern interior yard setback (SBMC §28.21.060 and §28.92.110.2);
2. A Modification to allow a building encroachment into the western interior yard setback (SBMC §28.21.060 and §28.92.110.2);
3. A Modification to allow a second story deck to encroach into the rear yard setback (SBMC §28.21.060 and §28.92.110.2); and
4. A Tentative Subdivision Map for a one-lot subdivision to create four (4) residential condominium units (SBMC §27.07 and §27.13).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303, New Construction of Small Structures, and Section 15315, Minor Land Divisions.

Case Planner: Chelsey Swanson, Assistant Planner  
Email: cswanson@SantaBarbaraCA.gov

Dennis Thompson, Architect; Dennis Allen, Owner, and Alexandra Cole, Historian, Jeff King with Thompson Naylor Architects, Steve Foley, Transportation Senior Planner I, present.

Ms. Weiss announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Chelsey Swanson, Assistant Planner, gave the Staff presentation and recommendation.

Mr. Thompson gave the applicant's presentation.

Ms. Weiss requested the applicant to clarify some questions regarding how much of the existing structure will remain after construction.

Mr. Thompson stated that the project preserves a lot of open space on the street and on-site, preserves the landmark structure, and creates modest sized units with innovative parking.

The Public Hearing was opened at 3:23 p.m.

Ms. Brandy Bartosh expressed general support regarding proposed project, and would be in favor of any type of wall element that would also reduce noise levels for the neighborhood.

Mr. Jerry Geneau expressed support regarding the proposed project, and only expressed concern regarding the allowable density of the compliance-requested square footage, setbacks for the rather large lot, and the eliminated entrance driveway.

Ms. Weiss clarified that the eliminated entrance driveway would become a planned continuous curbing element to extend street parking.

Ms. Swanson clarified that the density of the proposed project is in compliance with the Zoning Ordinance requirements, and the General Plan Land Use Element with allowable variable density at 15 units per acre.

The Public Hearing was closed at 3:33 p.m.

Ms. Weiss commented that she appreciated the amount of middle and front open space in a downtown condominium project preserving the character of the street, separation between the old and new buildings, historic setting of the building, and that the general location of the site fits into the general scale and style of the neighborhood.

Mr. Allen explained efforts to preserve the historic structure and yet still introduce green building elements which includes preservation of the front section of the house with the two gable ends and slight modification of the front porch, but requested replacement of all the windows with a similar style to include insulated energy efficient double-glazed windows, wall insulation, and moisture barriers removing all inner wall studs using outer support structures.

Ms. Cole expressed concern that the new double-glazed windows should be as close to the original design as possible.

Ms. Weiss stated that the City's Historian was aware that the requested windows were new double-glazed windows, and that the solar panel elements and other final details such as slender chimneys for review by the HLC, with a complete photo documentation of the building as it presently exists to be recorded in the Library archives. She also clarified that "expressed support" at this hearing does not constitute approval or permission to use solar panel elements because it is subject to HLC approval.

Ms. Weiss concurred with staff that the yard modifications are appropriate to secure a necessary improvement, but did have concern about the side entry modification and requested some clarifications regarding the planned parking design issues.

Mr. Foley clarified that the Transportation staff found the six foot access easement would work even though it might not guarantee perfect maneuverability for vehicles, and that staff is supportive of the existing design which should be functional and fulfill design parameters.

**ACTION:**

**Assigned Resolution No. 009-07**

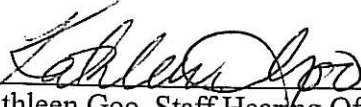
Approve the project, making the findings for the interior yard and rear modifications with the exception of the entry on the east, and Tentative Map for the New Condominium Development as outlined in Section VII of this report, and subject to the Conditions of Approval in Exhibit A, with amended conditions that: 1) Condition B.1 shall be amended as: "No portion of the second story deck or planter for Unit 3 may encroach a maximum of three (3) feet into the westerly interior yard setback" 2) Condition C.3.b will be amended to include upgrading or construction of a minimum 8-inch sewer main the length of the alley from Laguna Street to the project site, if the alley sewer main is used; 3) Final Map shall include under Condition C.7, Final Map to show elevations at connections in alley for proposed new sewer main, clean-out, and lateral; and 4) Conditions E.1 and E.2 be deleted.

Ms. Weiss announced the ten calendar day appeal period.

**III. ADJOURNMENT**

Ms. Weiss adjourned the meeting at 4:33 p.m.

Submitted by,

  
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Kathleen Goo, Staff Hearing Officer Secretary